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December 28, 2001

COPY OF PAPERS ORIGINALLY FILED FILE: BAYM:002US

### CERTIFICATE OF MAILING 37 C.F.R 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on the date below:

December 28, 2001

Date

Michael C. Barrett

**BOX MISSING PARTS** 

Commissioner for Patents Washington, DC 20231

RE:

U.S. Patent Application No. 09/941,165 entitled "PULSED-MULTILINE EXCITATION FOR COLOR-BLIND FLUORESCENCE DETECTION" - Graham B.I. Scott et al. (Client reference: OTA 01-72)

Sir:

### Please find enclosed:

- (1) A Response to Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(b) mailed October 1, 2001;
- (2) Two Declarations;
- (3) Power of Attorney;
- (4) Request for Extension of Time;
- (5) Copy of Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R.1.53(b)-Filing Date Granted;
- (6) Check in the amount of \$1234.00; and
- (7) A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

Commissioner for Patents December 28, 2001 Page 2

If the check is inadvertently omitted, or the amount is insufficient, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/10102817/MCB.

Respectfully submitted,

Michael C. Butt Michael C. Barrett Reg. No. 44,523

MCB/mar

Encl: as noted



#### **PATENT**

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Graham B. I. Scott et al.

Serial No.: 09/941,165

Filed: August 28, 2001

For: PULSED-MULTILINE EXCITATION

FOR COLOR-BLIND FLUORESCENCE

**DETECTION** 

Group Art Unit: 2877

Examiner: Unknown

Atty. Dkt. No.: BAYM:002US/MCB

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December 28, 2001

Date

Michael C. Barrett

# RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION FILED UNDER 37 C.F.R. 1.53(b)

### **BOX MISSING PARTS**

Commissioner for Patents Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application Under 37 C.F.R. § 1.53(b), dated October 1, 2001, there are enclosed herewith:

- (a) Two Declarations executed on behalf of Graham B. I. Scott, Carter Kittrell, Robert F. Curl and Michael L. Metzker;
- (b) A Power of Attorney on behalf of Rice University;

(c) Our check in the amount of \$1234.00 to cover the basic filing fee

(\$370.00 - utility small entity); surcharge for late filing (\$65.00); additional claims

fee (\$744.00); one month extension of time fee (\$55.00);

(d) A copy of Notice to File Missing Parts of Nonprovisional Application Filed Under

37 C.F.R. 1.53(b)-Filing Date Granted; and

(e) A Request for Extension of Time of one month to and including January 1, 2002.

Should such request be absent, consider this such a request and authorization to

withdraw the appropriate fee under 37 C.F.R. §§ 1.16 to 1.21 as stated below.

Assignments to Rice University and Baylor College of Medicine and checks for \$40.00

each are being filed under separate cover.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R.

§§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an

overpayment be included herein, the Commissioner is authorized to deduct or credit said fees

from or to Fulbright & Jaworski Deposit Account No.: 50-1212/10102817/MCB.

Please date stamp and return the accompanying postcard to evidence receipt of these

documents.

Respectfully submitted,

Michael C. Barrett

Michael C. Butt

Reg. No. 44,523

Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P. 600 Congress Avenue, Suite 2400 Austin, Texas 78701 (512) 474-5201

Date:

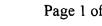
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**AUSTIN, TX 78701** 







## United States Patent and Trademark Office

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FIRST NAMED APPLICANT ATTORNEY DOCKET NUMBER APPLICATION NUMBER FILING/RECEIPT DATE Graham B. I. Scott 08/28/2001 09/941,165

BAYM:002US 10102817

**CONFIRMATION NO. 4645** 

FULBRIGHT & JAWORSKI L.L.P. A REGISTERED LIMITED LIABILITY PARTNERSHIP **SUITE 2400 600 CONGRESS AVENUE** 

COPY OF PARL ORIGINALLY FILE. \*OC000000006824284\*

**FORMALITIES LETTER** 

Date Mailed: 10/01/2001

# NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

### Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing. Applicant must submit \$ 355 to complete the basic filing fee for a small entity.
- Total additional claim fee(s) for this application is \$736.
  - \$576 for 64 total claims over 20.
  - \$160 for 4 independent claims over 3.
- The oath or declaration is missing. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(I) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1156.

A copy of this notice MUST be returned with the reply.

Customer Service Center

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE